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**MAY 09 2005**

In re Application of :  
Tacheuchi et al. : **OFFICE OF PETITIONS**  
Application No. 09/602,814 :  
Filed: June 23, 2000 : ON PETITION  
Attorney Docket No. 82493.0002 :

This is a decision on the Petition for Corrected Filing Date, filed April 18, 2005. The Petition is properly treated as a petition under 37 CFR 1.53 to accord a filing date of June 23, 2000, to the application.

The application was filed on June 23, 2000 in a language other than English. In response, the the Office of Initial Patent Examination mailed a Notice to File Missing Parts of Nonprovisional Application ("Notice") noting, *inter alia*, that a filing date had been accorded the application, and requiring an English language translation in accordance with 37 CFR 1.52. Applicant timely filed a response to the Notice on November 20, 2000, which included the English language translation of the application<sup>1</sup>. In response to this filing, the Office of Initial Patent Examination mailed an Updated Filing Receipt on May 29, 2001, wherein the filing date of the application was changed to the date of receipt of the response to the Notice - November 20, 2000.

Petitioner files the instant Petition to correct the filing date of the application to June 23, 2000. In support of the petition, Applicant files a copy of his return-receipt postcard.

A review of the return-receipt postcard reveals that Applicant is correct. The postcard acknowledges receipt of, *inter alia*, 26 pages of specification, 13 claims, and 10 sheets of drawings in the above-identified application by this on June 23, 2000.

"A postcard receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of

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<sup>1</sup> The response to the Notice included a one month extension of time request and a Certificate of Mailing date November 16, 2000.

receipt in the PTO of all items listed thereon by the PTO."  
MPEP § 503.

Accordingly, the petition is granted.

No fee has been charged and none is due.

The application will be referred to the Office of Initial Patent Examination for correction of the filing date to June 23, 2000.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.



Derek L. Woods  
Petitions Attorney  
Office of Petitions